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Attorney for Defendant
Jack P. DeLiddo

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re Case No. 09-90452
DeLiddo & Associates, Inc., Chapter 7 Case
Debtor. Adversary No. 11-0917

Stephen C. Ferlmann, Trustee,
Plaintiff,
vs.
Jack P. DeLiddo,
Defendant.

DEFENDANT JACK P. DeLIDDO'S ANSWER TO COMPLAINT

Jack P. DeLido (the "Defendant"), answers the complaint of Stephen C. Ferlmann, Trustee (the "Plaintiff") as follows:

ADMISSIONS AND DENIALS REGARDING JURISDICTION AND VENUE

1. The Defendant admits the allegations of Paragraphs 1, 2, and 3, admits this Court has jurisdiction, admits this is a core proceeding, and admits venue is proper in this Court.

ADMISSIONS AND DENIALS REGARDING PARTIES

1 2. The Defendant admits the allegations of Paragraphs 4 and 5.

2 **ADMISSIONS AND DENIALS REGARDING GENERAL ALLEGATIONS**

3 3. The Defendant admits the allegations of Paragraphs 6 and 7.

4 **ADMISSIONS AND DENIALS REGARDING FIRST CLAIM FOR RELIEF**

5 4. The Defendant denies the allegations of Paragraphs 8, 10, 11, 12, and 13.

6 **ADMISSIONS AND DENIALS REGARDING SECOND CLAIM FOR RELIEF**

7 5. Answering Paragraph 14, the Defendant incorporates the admissions and denials
8 set forth in Paragraphs 1 to 4 of this answer.

9 6. The Defendant denies the allegations of Paragraphs 15, 16, and 17.

10 **ADMISSIONS AND DENIALS REGARDING THIRD CLAIM FOR RELIEF**

11 7. Answering Paragraph 18, the Defendant incorporates the admissions and denials
12 set forth in Paragraphs 1 to 6 of this answer.

13 8. The Defendant denies the allegations of Paragraphs 19 through 25.

14 **ADMISSIONS AND DENIALS REGARDING FOURTH CLAIM FOR RELIEF**

15 9. Answering Paragraph 26, the Defendant incorporates the admissions and denials
16 set forth in Paragraphs 1 to 8 of this answer.

17 10. The Defendant denies the allegations of Paragraphs 27 to 32.

18 **ADMISSIONS AND DENIALS REGARDING FIFTH CLAIM FOR RELIEF**

19 11. Answering Paragraph 33, the Defendant incorporates the admissions and denials
20 set forth in Paragraphs 1 to 10 of this answer.

21 12. The Defendant denies the allegations of Paragraphs 34 and 35.

22 **FIRST AFFIRMATIVE DEFENSE TO ALL CLAIMS FOR RELIEF**

23 13. The complaint fails to state a claim upon which relief can be granted.

24 **SECOND AFFIRMATIVE DEFENSE TO ALL CLAIMS FOR RELIEF**

25 14. The complaint fails to comply with Federal Rule of Civil Procedure 19(a)(1) in that
26 required parties have not been joined.

27 **FIRST AFFIRMATIVE DEFENSE TO FIRST CLAIM FOR RELIEF**

1 15. Any transfers to the Defendant within the one year period preceding the petition
2 date were for contemporaneous exchange or new value and not on account of antecedent
3 debts.

PRAYER

5 WHEREFORE, the defendant Jack P. DeLiddo prays that the plaintiff Stephen C.
6 Ferlmann, Trustee, take nothing by his adversary complaint, that the defendant be awarded
7 his costs, and that the Court enter all other appropriate orders.

8 Dated: May 10, 2011.

Respectfully submitted,

/s/ David C. Johnston

David C. Johnston
Attorney for Defendant
Jack P. DeLiddo

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